8/23/07

(10)

AMER RECORDS AND BRIEFS

FILED
AUG 23 2007
OFFICE OF THE CLERK
SUPREME COURT, U.S.

No. 06-1286

IN THE

Supreme Court of the United States

MICHAEL J. KNIGHT, TRUSTEE OF THE WILLIAM L. RUDKIN TESTAMENTARY TRUST,
Petitioner,

v.

COMMISSIONER OF INTERNAL REVENUE,
Respondent.

On Writ of Certiorari to the United States Court of Appeals for the Second Circuit

JOINT APPENDIX

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Petition for Certiorari Filed March 23, 2007
Certiorari Granted June 25, 2007

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12/07/05

UNITED STATES TAX COURT
DOCKET ENTRIES

Docket No. 3297-04 INDEX

William L. Rudkin Testamentary Trust U/W/O Henry A. Rudkin, Michael J. Knight, Trustee

v. COMMISSIONER OF INTERNAL REVENUE

William L. Rudkin Testamentary Trust U/W/O Henry A. Rudkin Trt C/O Michael J. Knight 116 Sherman St. Fairfield, CT 06824	CC0618 NO. 1	(Service Attorney) Cantrell,Carol A. Briggs & Veselka Co. Suite 700 6575 West Loop South Bellaire, TX 77401

NO.	DATE EVENT	FILINGS AND PROCEEDINGS	ACT/STAT DTE SERVED M
0001	02/24/04 PF	PETITION Filed: Fee Paid	R 02/25/04
0002	02/24/04 DPT	DESIGNATION of Trial at Hartford, CT	R 02/25/04
0003	02/25/04 OCA	ORDER that caption of case is amended.	B 02/25/04

0005	09/15/04 O	ORDER set time & date certain 9/21/04 Hartford, CT for trial.	B 09/16/04 C
0006	09/20/04 TRL	TRIAL before S.T. Judge Goldberg at Hartford, CT	ORD 03/21/05
		Also called 9/21/04. Petr's oral mot. to remove "S" -- See order. Ans. to be filed by 10/21/04 -- No order.	
		RESP'S OPENING BRIEF DUE 12/6/04 PETRS' ANSWERING BRIEF DUE 1/5/05 RESP'S REPLY BRIEF DUE 2/7/05	
		SUBMITTED TO S.T. JUDGE GOLDBERG	
0007	09/20/04 STP	STIPULATION OF FACTS w/Exhs.	
0008	09/21/04 PTM	PRE-TRIAL MEMORANDUM for resp. (served at session)	
0009	09/21/04 PTM	PRE-TRIAL MEMORANDUM for petr. (served at session)	
0010	09/21/04 ODS	ORDER that the letter "S" is deleted from the Dkt. No. oral mot. to delete "S" is Gr.	B 10/13/04 C

0011	09/24/04 ACS	ANSWER (C/S 09/23/04).	
0012	10/22/04 TRAN	TRANSCRIPT of 9/20/04 rec'd. (Cal Call)	
0013	10/22/04 TRAN	TRANSCRIPT of 9/21/04 rec'd. (PTRL)	
0014	12/03/04 BFR	BRIEF for resp.	P 12/03/04 C
0015	02/01/05 MOTP	MOTION by petr. for leave to file reply brief out of time. (Reply Brf. Ld.)	GR 02/02/05 B 02/03/05 C
0016	02/02/05 RBFP	REPLY BRIEF for petr.	R 02/03/05
0017	03/04/05 RBFR	REPLY BRIEF for resp.	P 03/04/05 C
0018	03/21/05 OSUB	ORDER that case is submitted to Judge Wherry. Case is no longer submitted to S.T. Judge Goldberg.	B 03/21/05 C
0019	06/27/05 TCOP	T.C. OPINION, Judge Wherry 124 T.C. No. 19. (Decision will be entered for Resp.)	B 06/27/05 C
0020	06/27/05 DEC	DECISION ENTERED, Judge Wherry	B 06/27/05 C

0021	09/21/05 EA	ENTRY OF APPEARANCE by Carol A. Cantrell.	R 09/21/05

APPELLATE PROCEEDINGS

0022	09/21/05 NOAP	NOTICE OF APPEAL by petr(s). to U.S.C.A., 2nd Cir. C/S 09/20/05 FEE PAID. C.A.# 05-5151-ag	B 09/22/05 C
0023	09/22/05 NOFC	NOTICE of Filing with copy of Not. of App. sent to the parties.	B 09/22/05 C

General Docket
US Court of Appeals for the Second Circuit
• • •

INDIV

CLOSED

Court of Appeals Docket #: 05-5151-ag
Nsuit :

William L. Rudkin Testamentary Trust v. Commissioner of Internal Revenue — Filed 9/26/05

Appeal from: Tax Court, Internal Revenue Service

• • •

9/26	Copy of Tax Court docket entries and notice of appeal on behalf of APPELLANTS William L. Rudkin Testamentary Trust, Michael Knight, filed. [Entry date Sep 28 2005] [BM]
9/29/05	APPELLANT William L. Rudkin Testamentary Trust, Michael Knight, Form C filed, with proof of service. [Entry date Oct 3 2005] [BM]
9/29/05	APPELLANT William L. Rudkin Testamentary Trust, Michael Knight, Form D RECEIVED, with proof of service. [Entry date Oct 4 2005] [BM]
9/29/05	Copy of Tax Court decision dated June 27, 2005, filed. [Entry date Oct 4 2005] [BM]
10/12/05	Notice of appeal acknowledgment letter from Carol Cantrell received. [Entry date Jan 9 2006] [BM]

10/24/05 Telephonic Pre-Argument Notice and Order from Lisa Greenberg, Filed. Scheduled For: Wednesday, November 9, 2005 at 10:0. Oam. [Entry date Oct 28 2005] [BM]

10/24/05 Scheduling order #1 filed. Record on appeal due 11/23/2005. Appellants brief due 11/30/2005. Appellees brief due 12/30/2005. Ready week 2/6/2006. (LG) [Entry date Nov 1 2005] [BM]

11/3/05 Notice of appearance form on behalf of Anthony Sheehan , Esq., filed. (Orig in acco, copy to Calendar) [Entry date Nov 7 2005] [BM]

11/14/05 Scheduling order #2 filed. Record on appeal due 12/23/2005. Appellants brief due 12/30/2005. Appellees brief due 3/1/2006. Ready week 4/10/2006. (LG) [Entry date Nov 21 2005] [BM]

11/21/05 Notice to counsel in re: Scheduling order #2 dated 11/14/2005. [Entry date Nov 21 2005] [BM]

12/12/05 Record on appeal index in lieu of record filed. [Entry date Jan 13 2006] [BM]

12/23/05 Certified copy of the docket entries, copy of the orginal papers and exhibits, and a Docket as of July 05, 2007 8:13 pm Page 5 INDIV CLOSED transcript of the proceedings from APPELLANT William L. Rudkin Testamentary Trust, Michael Knight, received. [Entry date Jan 13 2006] [BM]

• • •

1/3/06 APPELLANT William L. Rudkin Testamentary Trust, Michael Knight, brief FILED with proof of service. [Entry date Jan 13 2006] [BM]

1/3/06 APPELLANT William L. Rudkin Testamentary Trust, Michael Knight, special appendix filed(w/pfs) [Entry date Jan 13 2006] [BM]

1/3/06 APPELLANT William L. Rudkin Testamentary Trust, Michael Knight, joint appendix filed w/pfs. [Entry date Jan 13 2006] [BM]

1/6/06 AMICUS CURIAE American Bankers Association, New York Bankers Association, brief filed with proof of service. [Entry date Jan 19 2006] [BM]

• • •

3/3/06 APPELLEE Commissioner of Internal Revenue Service, brief filed with proof of service. [Entry date Mar 16 2006] [BM]

• • •

3/3/06 Notice of appearance form on behalf of Gilbert Rothenberg , Esq., filed. (Orig in acco, copy to Calendar) [Entry date Mar 20 2006] [BM]

3/8/06 Proposed for argument the week of 5/8/06 B PANEL. [Entry date Mar 8 2006] [AV]

3/17/06 APPELLANT William L. Rudkin Testamentary Trust, Michael Knight, reply brief filed with proof of service. [Entry date Mar 22 2006] [BM]

• • •

3/21/06 Set for argument on 5/10/06 B Panel. [Entry date Mar 21 2006] [AV]

• • •

5/10/06 Case heard before FEINBERG, SOTOMAYOR, HALL, C.JJ. CD dated: May 10, 2006 [Entry date May 10 2006] [AG]

• • •

10/18/06 Judgment of the tax court is AFFIRMED by published signed opinion filed. (SS) [Entry date Oct 18 2006] [BM]

10/18/06 Judgment filed. [Entry date Oct 18 2006] [BM]

10/18/06 Notice to counsel in re: Opinion dated 10/18/2006. [Entry date Oct 18 2006] [BM]

• • •

11/29/06 APPELLANT William L. Rudkin Testamentary Trust, Michael Knight, petition for rehearing received. [Entry date Nov 30 2006] [BM]

12/1/06 Appellant William L. Rudkin Testamentary Trust, Appellant Michael Knight petition for rehearing en banc filed with proof of service. [Entry date Dec 4 2006] [BM]

1/19/07 Notice to counsel in re: Order Denying Petition for Rehearing. [Entry date Jan 19 2007] [BM]

1/19/07 Order FILED DENYING petition for rehearing en banc by Appellant William L. Rudkin Testamentary Trust, Appellant Michael Knight. (AMH) [Entry date Jan 23 2007] [BM]

• • •

2/9/07 Judgment MANDATE ISSUED. CLOSED [Entry date Feb 9 2007] [BM]

2/9/07 Notice to counsel in re: Judgment MANDATED on 2/9/2007. [Entry date Feb 9 2007] [BM]

3/27/07 Notice of filing petition for APPELLANT William L. Rudkin Testamentary Trust, Michael Knight, dated 3/23/2007 filed. Supreme Court #: 06-1286. [Entry date Apr 2 2007] [BM]

7/2/07 Writ of Certiorari GRANTED [Entry date Jul 5 2007] [BM]

Docket as of July 05, 2007 8:13 pm

• • •

STIPULATION OF FACTS

UNITED STATES TAX COURT

WILLIAM L. RUDKIN TESTAMENTARY TRUST U/W/O HENRY A. RUDKIN, MICHAEL J. KNIGHT, TRUSTEE,	)	
Petitioner,	)	Docket No.
v.	)	3297-04S
COMMISSIONER OF INTERNAL REVENUE,	)	
Respondent.	)	

STIPULATION OF FACTS

The parties agree to this stipulation of facts pursuant to Tax Court Rule 91. All stipulated facts shall be conclusive. All stipulated original exhibits shall be considered authentic. All stipulated copies shall be considered duplicates of the originals as defined in Fed. R. Evid. Sec. 1001(4). The truth of assertions within stipulated exhibits is not necessarily agreed to and may be rebutted or corroborated by additional evidence. Any relevance objection may be made with respect to all or any part of this stipulation at or before the time of trial, but all other evidentiary objections are waived unless specifically expressed in this stipulation.

1. Attached and marked as Exhibit 1-J is a copy of the December 5, 2003 notice of deficiency for the year 2000, on which this case is based.

2. At the time of filing the petition forming the basis of this case, petitioner's address was c/o Michael J. Knight & Co., CPAs, 116 Sherman Street, Fairfield, CT 06824.

3. A copy of the 2000 Form 1041 filed by the petitioner is attached and marked as Exhibit 2-J.

4. A copy of pertinent portions of the Will of Henry A. Rudkin (pages 1, 4-6, 13-17, 27 and 28), under which the subject Trust was established is attached and marked as Exhibit 3-J.

5. During 2000, the petitioner engaged Warfield Associates, Inc. to provide investment management advice for the Trust. Copies of the four quarterly invoices directed to the trust during the year 2000 are grouped, attached and marked as Exhibit 4-J. $22,241 was paid during 2000 to Warfield Associates, Inc.

6. The 2000 Trust tax return (Form 1041) claimed a deduction in the amount of $22,241 for investment management fees paid to Warfield Associates, Inc. on Line 15a - "Other deductions not subject to the 2% floor." The respondent allowed $9,780 of this amount as exceeding 2% of adjusted gross income of $623,050.

DONALD L. KORB
Chief Counsel
Internal Revenue Service

/s/ Michael J. Knight, Trustee
MICHAEL J. KNIGHT
TRUSTEE, WILLIAM L.
RUDKIN TESTAMENTARY
TRUST U/W/0 HENRY A.
RUDKIN Petitioner
c/o Michael J. Knight & Co.,
CPAs 116 Sherman Street
Fairfield, CT 06824
Tel. No. (203) 259-2727

Date: **SEP 21 2004**

By: /s/ Frank W. Louis
FRANK W. LOUIS
Attorney
Tax Court No. LF0138
Commerce Center One
333 East River Drive,
Ste. 200
East Hartford, CT 06108
Tel. No. (860) 290-4083

Date: **SEP 21 2004**

Form 1041 Department of the Treasury - Internal Revenue Service 0824414727117

U.S. Income Tax Return for Estates and Trusts 2000

For calendar year 2000 or fiscal year beginning , 2000, and ending , OMB No. 1545-0092

A Type of entity:
- [ ] Decedent's estate
- [X] Simple trust
- [ ] Complex trust
- [ ] Grantor type trust
- [ ] Bankruptcy estate-Ch. 7
- [ ] Bankruptcy estate-Ch. 11
- [ ] Pooled income fund

Name of estate or trust (If a grantor type trust, see page 10 of the instructions)
WILLIAM L RUDKIN TESTAMENTARY TRUST
U/W/O HENRY A RUDKIN

Name and title of fiduciary
MICHAEL J. KNIGHT, TRUSTEE

Number, street, and room or suite no. (If a P.O. box, see instructions.)
C/O MICHAEL J KNIGHT & CO 116 SHERMAN ST

City or town, state, and ZIP code
FAIRFIELD, CT 06430

C Employer identification number: 06 6098457

D Date entity created: 04/14/1967

E Nonexempt charitable and split-interest trusts, check applicable boxes (see page 10 of the instructions)
- [ ] Described in section 4947(a)(1)
- [ ] Not a private foundation
- [ ] Described in section 4947(a)(2)

B Number of Schedules K-1 attached ▶ 1

F Check applicable boxes: [ ] Initial return [ ] Final return [ ] Amended return [ ] Change in fiduciary's name [ ] Change in fiduciary's address

G Pooled mortgage account: [ ] Bought [ ] Sold Date:

Income	1	Interest income	1	
	2	Ordinary dividends SEE STATEMENT 1	2	11,594.
	3	Business income or (loss) (attach Schedule C or C-EZ (Form 1040))	3	
	4	Capital gain or (loss) (attach Schedule D (Form 1041))	4	612,954.
	5	Rents, royalties, partnerships, other estates and trusts, etc. (attach Schedule E (Form 1040))	5	
	6	Farm income or (loss) (attach Schedule F (Form 1040))	6	
	7	Ordinary gain or (loss) (attach Form 4797)	7	
	8	Other income. List type and amount SEE STATEMENT 2	8	268.
	9	Total income. Combine lines 1 through 8 ▶	9	624,816.
Deductions	10	Interest. Check if Form 4952 is attached ▶ [ ] SEE STATEMENT 3	10	9,187.
	11	Taxes	11	22,590.
	12	Fiduciary fees	12	
	13	Charitable deduction (from Schedule A, line 7)	13	
	14	Attorney, accountant, and return preparer fees SEE STATEMENT 5	14	11,253.
	15a	Other deductions not subject to the 2% floor (attach schedule) SEE STATEMENT 4	15a	22,241.
	b	Allowable miscellaneous itemized deductions subject to the 2% floor	15b	
	16	Total. Add lines 10 through 15b	16	65,271.
	17	Adjusted total income or (loss). Subtract line 16 from line 9. Enter here and on Schedule B, line 1 ▶	17	559,545.
	18	Income distribution deduction (from Schedule B, line 15) (attach Schedules K-1 (Form 1041))	18	
	19	Estate tax deduction (including certain generation-skipping taxes) (attach computation)	19	
	20	Exemption	20	300.
	21	Total deductions. Add lines 16 through 20 ▶	21	300.
Tax and Payments	22	Taxable income. Subtract line 21 from line 17. If a loss, see instructions	22	559,245.
	23	Total tax (from Schedule G, line 7)	23	116,252.
	24	Payments: a 2000 estimated tax payments and amount applied from 1999 return	24a	85,680.
	b	Estimated tax payments allocated to beneficiaries (from Form 1041-T)	24b	
	c	Subtract line 24b from line 24a	24c	85,680.
	d	Tax paid with extension of time to file: [ ] Form 2758 [ ] Form 8736 [ ] Form 8800	24d	
	e	Federal income tax withheld. If any is from Form(s) 1099, check ▶ [ ]	24e	
		Other payments: f Form 2439 ; g Form 4136 ; h Total ▶	24h	
	25	Total payments. Add lines 24c through 24e, and 24h ▶	25	85,680.
	26	Estimated tax penalty (see page 16 of the instructions)	26	
	27	Tax due. If line 25 is smaller than the total of lines 23 and 26, enter amount owed	27	30,572.
	28	Overpayment. If line 25 is larger than the total of lines 23 and 26, enter amount overpaid	28	
	29	Amount of line 28 to be: a Credited to 2001 estimated tax ▶ b Refunded ▶	29	

SELECTED

ANDOVER IRS CENTER RECEIVED APR 02 2001 MAIL 310 GROVE ST. - ANDOVER, MA 01812

Sign Here: Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than fiduciary) is based on all information of which preparer has any knowledge.

Michael J Knight CPA 3/22/01 ▶
Signature of fiduciary or officer representing fiduciary — Date — EIN of fiduciary if a financial institution (see page 9 of the instructions)

Paid Preparer's Use Only

Preparer's signature: CPA — Date: 3/22/01 — Check if self-employed ▶ [X] — Preparer's SSN or PTIN: P00182555

Firm's name (or yours if self-employed), address, and ZIP code: MICHAEL J. KNIGHT & COMPANY, CPAS, 116 SHERMAN STREET, FAIRFIELD, CONNECTICUT 06430 — EIN ▶ 06 1156122 — Phone no. (203)259-2727

For Paperwork Reduction Act Notice, see the separate instructions. Form 1041 (2000)

JWA 0H8801 12-12-00

EXHIBIT 2-J

12
Excerpt from Exhibit 2-J
[to Stipulation of Facts]

Excerpt from Exhibit 2-J [to Stipulation of Facts]
(Cont'd)

06-6098457
WILLIAM L. RUDKIN TESTAMENTARY TRUST U/W

* * *

FORM 1041 OTHER DEDUCTIONS NOT SUBJECT TO FLOOR LIMITATION STATEMENT 4

DESCRIPTION	DIRECT AMOUNT	INDIRECT AMOUNT
INVESTMENT MANAGEMENT FEES	22,241.	
TOTAL TO FORM 1041, LINE 15A		22,241.

* * *

Excerpt from Exhibit 2-J [to Stipulation of Facts] (Cont'd)
[Columns 1-4 of 9; Columns 5-9 can be found on p. 19, *infra*]

January 11, 2001

WARFIELD ASSOCIATES, INC.
Realized Gains and Losses
From 01/01/2000 to 12/31/2000

HENRY RUDKIN TR FIB WILLIAM Acct # W512

Realized Gains and Losses

Description	Acquired	Date Sold	Quantity
VITESSE SEMICONDUCTOR	04/21/1998	01/25/2000	2,000.000
VITESSE SEMICONDUCTOR	10/23/1998	01/25/2000	500.000
			2,500.000
WORLDCOM INC GA	03/25/1998	02/03/2000	1,200.000

Excerpt from Exhibit 2-J [to Stipulation of Facts] (Cont'd)
[Columns 1-4 of 9; Columns 5-9 can be found on p. 20, *infra*]

Description	Acquired	Date Sold	Quantity
WORLDCOM INC GA	06/17/1998	02/03/2000	350.000
			1,550.000
DELL COMPUTER CORP	09/03/1997	04/27/2000	2,000.000
GUIDANT CORP	04/14/1998	04/27/2000	800.000
VITESSE SEMICONDUCTOR	10/23/1998	04/27/2000	1,000.000
WORLDCOM INC GA	06/17/1998	04/27/2000	250.000
WORLDCOM INC GA	11/09/1998	04/2712000	750.000
			1,000.000
CISCO SYSTEMS	12/05/1995	05/09/2000	1,800.000

Excerpt from Exhibit 2-J [to Stipulation of Facts] (Cont'd)
[Columns 1-4 of 9; Columns 5-9 can be found on p. 21, *infra*]

Description	Acquired	Date Sold	Quantity
DELL COMPUTER CORP	09/03/1997	05/09/2000	825.000
VITESSE SEMICONDUCTOR	10/23/1998	05/09/2000	1,000.000
LUCENT TECHNOLOGIES	01/07/1998	07/27/2000	1,000.000
LUCENT TECHNOLOGIES	01/07/1998	08/15/2000	1,000.000
DELL COMPUTER CORP	09/03/1997	08/23/2000	500.000
DELL COMPUTER CORP	12/03/1997	08/23/2000	2,000.000
			2,500,000
CITIGROUP INC.	04/19/1993	09/08/2000	
VITESSE SEMICONDUCTOR	10/23/1998	09/11/2000	500.000

16

Excerpt from Exhibit 2-J [to Stipulation of Facts] (Cont'd)
[Columns 1-4 of 9; Columns 5-9 can be found on p. 22, *infra*]

Description	Acquired	Date Sold	Quantity
VITESSE SEMICONDUCTOR	10/29/1998	09/12/2000	1,000.000
LUCENT TECHNOLOGIES	01/07/1998	09/2112000	2,000.000
JDS UNIPHASE	07/27/2000	11101/2000	250.000
BROADCOM	11/01/2000	11/10/2000	150.000
SUN MICROSYSTEMS	09/21/2000	12/0112000	800.000
Total Short Term (Sales)			
Total Long Term (Sales)			

17

Excerpt from Exhibit 2-J [to Stipulation of Facts] (Cont'd)
[Columns 1-4 of 9; Columns 5-9 can be found on p. 23, *infra*]

Description	Acquired	Date Sold	Quantity
Total (Sales)			
Total Gains			

Excerpt from Exhibit 2-J [to Stipulation of Facts] (Cont'd)
[Columns 5-9 of 9; Columns 1-4 can be found on p. 14, *supra*]

January 11, 2001

WARFIELD ASSOCIATES, INC.
Realized Gains and Losses
From 01/01/2000 to 12/31/2000

HENRY RUDKIN TR FIB WILLIAM Acct # W512

Realized Gains and Losses

Net Proceeds	Cost	Short Term Gains	Long Term Gains	Total Gains
98,636.64	28,614.85		70,021.79	70,021.79
24,659.16	7,618.27		17,040.89	17,040.89
123,295.80	36,233.12		87,062.68	87,062.68
52,996.30				

Excerpt from Exhibit 2-J [to Stipulation of Facts] (Cont'd)
[Columns 5-9 of 9; Columns 1-4 can be found on p. 15, *supra*]

Net Proceeds	Cost	Short Term Gains	Long Term Gains	Total Gains
15,457.26	*39014*		*29440*	*29440*
68,453.56				
101,683.75	21,364.54		80,319.21	80,319.21
44,471.36	30,330.78		14,140.58	14,140.58
59,015.32	15,236.53		43,778.79	43,778.79
10,986.49	7,506.53		3,479.96	3,479.96
32,959.45	28,583.36		4,376.09	4,376.09
43,945.94	36,089.89		7,856.05	7,856.05
109,429.58	8,622.81		100,806.77	100,806.77

Excerpt from Exhibit 2-J [to Stipulation of Facts] (Cont'd)
[Columns 5-9 of 9; Columns 1-4 can be found on p. 16, *supra*]

Net Proceeds	Cost	Short Term Gains	Long Term Gains	Total Gains
37,762.19	8,812.87		28,949.32	28,949.32
55,095.51	15,236.53		39,858.98	39,858.98
47,780.23	20,479.40		27,300.83	27,300.83
41,054.84	20,479.40		20,575.44	20,575.44
18,623.93	5,341.14		13,282.79	13,282.79
74,495.74	22,222.11		52,273.03	52,273.03
93.119.67	27,563,85		65,555 82	65.555.82
	2.08		16.36	16.36
41,531.67	7,618.27		33,913.40	33,913.40

Excerpt from Exhibit 2-J [to Stipulation of Facts] (Cont'd)
[Columns 5-9 of 9; Columns 1-4 can be found on p. 17, *supra*]

Net Proceeds	Cost	Short Term Gains	Long Term Gains	Total Gains
80,48314	16,404.04		64,079.70	64,079.70
66,488.74	40,958,81		25,529	25,529.93
19,620.	33,674.13			
23,828.	32,927.06			-9,098.67
60,767.	93,844.39			

22

Excerpt from Exhibit 2-J [to Stipulation of Facts] (Cont'd)
[Columns 5-9 of 9; Columns 1-4 can be found on p. 18, *supra*]

Net Proceeds	Cost	Short Term Gains	Long Term Gains	Total Gains
1,117,846.49	*504,892*		*669,182*	*612,954*

23

Exhibit 4-J [to Stipulation of Facts]

WARFIELD ASSOCIATES, INC. *HAR*
450 PARK AVENUE, SUITE 1401 *WLR*
NEW YORK, NY 10022
(212) 319-6755 • Fax (212) 319-6840

January 14, 2000

Michael J. Knight & Company
116 Sherman Street
P. O. Box 139
Fairfield, CT 06430-0139

Att: John Rolleri

Re: [redacted] Rudkin Trusts

Investment management fee for the quarter beginning January 1, 2000, based on portfolios valued below at an annual rate of 0.80%

Paid # 960
1/19/2000

William U/W/O Henry $2,884,542.00 $5,769.08

0•
5·769·08+
6·855·42+
5·164·37+
4·452·44+
004
22·241·31•

Please remit to Warfield Associates, Inc.

EXHIBIT 4 -J

WARFIELD ASSOCIATES, INC.
450 PARK AVENUE, SUITE 1401
NEW YORK, NY 10022
(212) 319-6755 • Fax (212) 319-6840

April 12, 2000

Michael J. Knight & Company
116 Sherman Street
P. O. Box 139
Fairfield, CT 06430-0139

Att: John Rolleri

Re: [redacted] Rudkin Trusts

Investment management fee for the quarter beginning April 1, 2000, based on portfolios valued below at an annual rate of 0.80%

William U/W/O Henry $3,427,708.00 $6,855.42

719
Paid # 984
5/1/2000

Please remit to Warfield Associates, Inc.

WARFIELD ASSOCIATES, INC.
450 PARK AVENUE, SUITE 1401
NEW YORK, NY 10022
(212) 319-6755 • Fax (212) 319-6840

719

July 11, 2000

Michael J. Knight & Company
116 Sherman Street
P. O. Box 139
Fairfield, CT 06430-0139

Att: John Rolleri

Re: [redacted] Rudkin Trusts

Investment management fee for the quarter beginning June 30, 2000, based on portfolios valued below at an annual rate of 0.80%

William U/W/O Henry	$2,582,186.00	$5,164.37

Paid # 1001
7/20/2000

Please remit to Warfield Associates, Inc.

WARFIELD ASSOCIATES, INC.
450 PARK AVENUE, SUITE 1401
NEW YORK, NY 10022
(212) 319-6755 • Fax (212) 319-6840

719

October 11, 2000

Michael J. Knight & Company
116 Sherman Street
P. O. Box 139
Fairfield, CT 06430-0139

Att: John Rolleri

Re: [redacted] Rudkin Trusts

Investment management fee for the quarter beginning September 30, 2000, based on portfolios valued below at an annual rate of 0.80%

William U/W/O Henry	$2,226,222.00	$4,452.44

Paid # 1016
10/18/2000

Please remit to Warfield Associates, Inc.